

LPDES PERMIT NO. LA0116467 (Agency Interest No. 30132)

**LPDES Statement of Basis
FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM
(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA**

- I. Company/Facility Name:** National Maintenance & Repair of Louisiana, Inc.
Harahan Shipyard
P.O. Box 10486
New Orleans, LA 70181
- II. Issuing Office:** Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Water Permits Division
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LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.4901, 4903, and 2301.F.

IV. Permit Action/Status:

A. Reason For Permit Action:

Proposed reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46.

In order to ease the transition from NPDES to LPDES permits, dual regulatory references are provided where applicable. The LAC references are the legal references while the 40 CFR references are presented for informational purposes

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only. In most cases, LAC language is based on and is identical to the 40 CFR language. 40 CFR Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903 and will not have dual references. In addition, state standards (LAC 33:IX. Chapter 11) will not have dual references.

- B. LPDES permit: Permit effective date: January 1, 2003
Permit expiration date: December 31, 2007

EPA has not retained enforcement authority.

- C. Application submittal date: Application submitted on July 25, 2007.

V. Facility Information:

- A. Location – 5004 River Road, Harahan, Jefferson Parish
(Latitude 29°56'51", Longitude 90°10'25").

- B. Applicant Activity -

According to the application, National Maintenance & Repair of Louisiana, Inc./Harahan Shipyard, is a repair shipyard facility involved in repairing barges, boats, and related items. Mechanical treatment plants (MTP) with chlorine disinfection are operated for discharges of sanitary wastewater. This facility also discharges ballast waters and void water associated with shipyard operations.

- C. Fee Rate -
1. Fee Rating Facility Type: Minor
2. Complexity Type: I (BPJ)
3. Wastewater Type: II
4. SIC code: 3731

VI. Receiving Waters: Mississippi River (Outfalls 001, 002A, 002B, and 004)

Mississippi River:

- A. River Basin: Mississippi River, Segment No.: 070301
B. Designated Uses: primary contact recreation, secondary contact recreation, fish and wildlife propagation, and drinking water supply

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VII. Outfall Information:Outfall 001

- A. Type of wastewater – Treated sanitary wastewater from the office barge.
- B. Location – At the point of discharge from the sewerage treatment plant, prior to combining with other waters (Latitude 29°56'37", Longitude 90°10'28").
- C. Treatment – Treatment of wastewater consists of:
 - MTP with chlorine disinfection
- D. Flow – Continuous 2,400 GPD
- E. Receiving waters – Mississippi River
- F. Basin and segment – Mississippi River Basin, Segment 070301

Outfall 02A

- A. Type of wastewater – Incoming ballast and void water from customer barges.
- B. Location – At the point of discharge of incoming ballast water from the customer's barge wing/ void tanks prior to combining with other waters.
- C. Treatment – None
- D. Flow – Intermittent flow is variable
- E. Receiving waters – Mississippi River
- F. Basin and segment – Mississippi River Basin, Segment 070301

Outfall 02B

- A. Type of wastewater – Maintenance ballast and void water and dry dock ballast.

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- B. Location – At the point of discharge of dry dock ballast and maintenance ballast water from the work barge wing/void tanks prior to combining with other waters.
- C. Treatment – None
- D. Flow – Intermittent flow is variable
- E. Receiving waters – Mississippi River
- F. Basin and segment – Mississippi River Basin, Segment 070301

Outfall 004

- A. Type of wastewater – Treated sanitary wastewater from the machine shop.
- B. Location – At the point of discharge from the sewerage treatment plant, prior to mixing with other waters. (Latitude 29°56'45", Longitude 90°10'25").
- C. Treatment – Treatment of wastewater consists of:
 - MTP with chlorine disinfection
- D. Flow – Continuous 2,400 GPD
- E. Receiving waters – Mississippi River
- F. Basin and segment – Mississippi River Basin, Segment 070301

VIII. Proposed Permit Limits and Rationale:

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit.

The following changes have been made from the previous permit:

- A. Outfall 002A has been renamed 02A.
- B. Outfall 002B has been renamed 02B.
- C. Monthly average reporting of flow for 001 and 004 has been removed based on Current Office procedures for similar discharges.

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Outfall 001 – Continuous discharge of treated sanitary wastewater from the office barge.

Effluent Characteristic	Discharge Limitations				Monitoring Requirements
	Other Units				
	(lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)				
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	
Flow-MGD	---	Report	---	---	1/6 months
BOD ₅	---	---	---	45	1/6 months
TSS	---	---	---	45	1/6 months
Fecal Coliform colonies/100 mL	---	---	---	400	1/6 months
pH	---	---	6.0	9.0	1/6 months
(Standard Units)			(Min)	(Max)	

EFFLUENT LIMITATIONS BASIS for Outfall 001:

Flow: The requirement to report flow is based upon LAC 33:IX.2707.I.1.b.

BOD, TSS, Fecal Coliform and pH: Limitations are based upon LPDES Class I Sanitary General Permit (LAG530000)

Outfall 02A – Intermittent discharge of incoming ballast and void water from customer barges.

Effluent Characteristic	Discharge Limitations				Monitoring Requirements
	Other Units				
	(lbs/day, UNLESS STATED) (mg/L, UNLESS STATED)				
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow-MGD	Report	Report	---	---	1/week
COD	---	---	---	250	1/week
Oil & Grease	---	---	---	15	1/week
pH	---	---	6.0	9.0	1/week
(Standard Units)			(Min)	(Max)	

EFFLUENT LIMITATIONS BASIS for Outfall 002A:

Flow: The requirement to report flow is based upon LAC 33:IX.2707.I.1.b.

COD, Oil & Grease, and pH: Limitations are BPJ based upon the current office practices of similar discharges.

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Outfall 02B – Intermittent discharge of maintenance ballast and void water and dry dock ballast.

Effluent Characteristic	Discharge Limitations				Monitoring Requirements
	Other Units				
	(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		
	Monthly Average	Daily Maximum	Monthly Average	Daily Maximum	
Flow-MGD	Report	Report	---	---	1/week
COD	---	---	---	250	1/week
Oil & Grease	---	---	---	15	1/week
pH	---	---	6.0	9.0	1/week
(Standard Units)			(Min)	(Max)	

Sampling for 02B is only required if a visible sheen is present.**EFFLUENT LIMITATIONS BASIS for Outfall 002B:****Flow:** The requirement to report flow is based upon LAC 33:IX.2707.I.1.b.**COD, Oil & Grease, and pH:** Limitations are BPJ based upon the current office practices of similar discharges.**Outfall 004** – Continuous discharge of treated sanitary wastewater from the machine shop.

Effluent Characteristic	Discharge Limitations				Monitoring Requirements
	Other Units				
	(lbs/day, UNLESS STATED)		(mg/L, UNLESS STATED)		
	Monthly Average	Weekly Average	Monthly Average	Weekly Average	
				Measurement Frequency	
Flow-MGD	---	Report	---	---	1/6 months
BOD ₅	---	---	---	45	1/6 months
TSS	---	---	---	45	1/6 months
Fecal Coliform colonies/100 mL	---	---	---	400	1/6 months
pH	---	---	6.0	9.0	1/6 months
(Standard Units)			(Min)	(Max)	

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EFFLUENT LIMITATIONS BASIS for Outfall 004:

Flow: The requirement to report flow is based upon LAC 33:IX.2707.1.1.b.

BOD, TSS, Fecal Coliform and pH: Limitations are based upon LPDES Class I Sanitary General Permit (LAG530000).

D. MONITORING FREQUENCIES

Monitoring frequencies for all outfalls are based upon office practices for similar discharges.

IX. Compliance History/DMR Review:

There are no open, appealed, or pending OEC enforcement actions as of May 9, 2008. However, the results from the DMR review show that there are several DMRs not submitted for this facility within the past three years. This facility has four Outfalls listed as 001, 002A, 002B, and 004. Outfalls 001 and 004 have DMRs submitted for the second half of 2005 and the first half of 2006. Outfall 002A has DMRs submitted for April 2006, May 2006, June 2006, January 2008, and February 2008. Outfall 002B has DMRs submitted for April 2006, May 2006, June 2006, and March 2008.

X. Endangered Species:

The receiving waterbody for National Maintenance & Repair of Louisiana, Inc. is Subsegment 070301 of the Mississippi River Basin. Segment 070301 of the Mississippi River Basin has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as a threatened or endangered species. After reviewing the LPDES application, this Office determined that National Maintenance & Repair of Louisiana, Inc. does not have the reasonable potential to discharge the substances of concern identified by the October 24, 2007 Implementation Strategy for the LDEQ and the U.S. Fish and Wildlife Service (USFWS) Memorandum of Understanding (MOU). Therefore, in accordance with the MOU, the draft permit for National Maintenance & Repair of Louisiana, Inc. has not been submitted to the USFWS for review. LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

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XI. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

XII. Tentative Determination:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharges described in the application.

XIII. Variances:

No requests for variances have been received by this Office.

XIV. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

A public notice will be published in a local newspaper of general circulation and in the Office of Environmental Services Public Notice Mailing List.

XV. TMDL Waterbodies:

National Maintenance & Repair of Louisiana, Inc./Harahan Shipyard discharges ballast water and sanitary wastewaters to the Mississippi River (Segment 070301). Segment 070301 is not listed on LDEQ's Final 2006 303(d) List, as impaired, and to date no TMDLs have been established.

A reopener clause will be included in the permit to allow for the establishment of more stringent effluent limitations and requirements as imposed by any future TMDLs.

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XVI. Stormwater Pollution Prevention Plan (SWP3) Requirements:

In accordance with LAC 33:IX.2707.I.3 and 4[40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all stormwater discharges from the facility, either through permitted outfalls, through outfalls which are not listed in the permit or as sheet flow. The Part II condition requires implementation of a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit, along with other requirements. If the permittee maintains other plans that contain duplicative information, that plan could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of storm water associated with industrial activity, as defined at LAC 33:IX.2511.B.14 [40 CFR 122.26(b)(14)].